

## REMARKS

In applicant's invention as defined in claim 6. a method is disclosed for increasing both the health and appearance of the hair and scalp and simultaneously increasing the thickness of the diameter of the hair so treated by supplying oxygen directly to the scalp and hair: [a] by first wetting the hair and scalp; [b] then applying to the scalp and hair a cosmetic shampoo with pH adjusted between 8.0 and 11.0; and [c] subsequently applying to the scalp and hair a conditioning cream containing from 1.0% to 4.0% hydrogen peroxide wherein the pH of the scalp remains between 8.0 and 11.0; and [d] thereby causing the hair treated in steps [a], [b] and [c] to have an increase in the size of its diameter.

The patent examiner has cited patents 6726729, 5474578 and 601099 none of which disclose or suggest a method for increasing both the health and appearance of the hair and scalp and simultaneously increasing the thickness of the diameter of the hair so treated by supplying oxygen directly to the scalp and hair. They do not disclose or suggest a method wherein the hair treated in steps [a], [b] and [c] to have an increase in the size of its diameter. Accordingly, claim 6 is deemed to be allowable over these references and such allowance is respectively solicited.

Claim 7 and 8 are deemed to be allowable as being dependent on Claim 6 but Claim 7 is independently allowable since it defines the hair increase in diameter as falling within the range of 9-15. None of the references show such increase.

Hence applicant respectfully requests that the final rejection be reversed and claims 6-8 be allowed.

Respectfully submitted,

*Theodore Jay*

Theodore Jay, Reg. No.17071

16 N, Chatsworth Ave, Suite 600

Larchmont, NY 10538

Tel 914 834 3769

November 9, 2007

Email – [ted@tjaylaw.com](mailto:ted@tjaylaw.com)